

Entered - 01/02/01 - sb  
CL01L0004 - DIANNE C. MITCHELL

01-R-0140

CLAIM OF: RICKY JEFFERY  
2098 Morehouse Drive  
Atlanta, Georgia 30314

For damages alleged to have been sustained as a result of property  
damage during the execution of a search warrant on April 29, 1999  
at 2098 Morehouse Drive.

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY *Robert N. C. of DCA*

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0004

Date: January 16, 2001

Claimant /Victim RICKY JEFFERY

BY: (Atty)(Ins. Co.) \_\_\_\_\_

Address: 2098 Morehouse Drive, Atlanta, Georgia 30314

Subrogation: Claim for Property damage \$ 15,404.00 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 12/07/00 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 04/29/99 Place: 2098 Morehouse Drive

Department Police Division: \_\_\_\_\_

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges his property was damaged during the execution of a search warrant. However, the claim as presented does not comply with the requirements of notice as set forth in O.C.G.A. §36-33-5. The six month statute of limitations expired prior to receipt of the claim.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_

Improper Notice \_\_\_\_\_ More than Six Months X Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

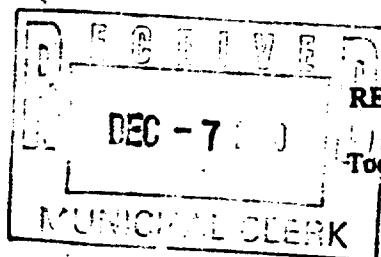
RECOMMENDATION:

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 01-16-01

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335



RE: CLAIM FOR DAMAGES

Today's Date: DEC. 2, 2000

Dear Municipal Clerk:

ENTERED -  
0110004 - DIANNE MITCHELL

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 15,404 property and/or \$ 5,000 bodily injury for which I contend the City is liable.

1. Date of incident: APRIL 29, 1999 2. Time of Incident: 9-11 a.m. 3. Police called: XXX  
(month/day/ year) Yes No
4. Location of incident (including street address): 2098 MOREHOUSE DRIVE ATL. GA 30314
5. Name of your insurance company: STATE FARM INSURANCE CO. Policy No. 11-CD-5707-6
6. State what and how incident occurred: OFFICERS ENTERED OUR HOME ON A STATEMENT FROM ONE OF THE MEN IN CUSTODY FROM A DRUG BUST AT 2099 MOREHOUSE DRIVE. I feel THAT IF THEY WANTED TO SEARCH OUR HOME THEY COULD HAVE ASKED RICKY BECAUSE HE WAS AT HOME AT THE TIME OF THE BUST ACROSS THE STREET. THE A.P.D. HAD NO REGARD FOR THE THINGS WE HAD IN OUR HOME; NOR DID THEY HAD ANY REASON TO COME INTO OUR HOUSE IN THE FIRST PLACE. WE ARE HARD WORKING PEOPLE AND WE TRY TO TEACH OUR KIDS GOOD VALUES. IT WAS VERY HURTFUL FOR MY SON TO BRING ME A FLYER FULL OF LIES HOME. I DON'T THINK YOU CAN PAY ENOUGH FOR THAT!
7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).  
Your vehicle: \_\_\_\_\_  
(Make) (Year) (Tag Number) (Driver's Name)  
City vehicle: \_\_\_\_\_  
(Make) (City Driver's Name) (Department/Bureau)
9. Witness: \_\_\_\_\_  
(Name) (Address) (Telephone Number)
10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Signature of Claimant

Ricky Jeffery  
(Print Claimant's Name)

2098 MOREHOUSE DRIVE  
(Address)

ATLANTA GEORGIA 30314  
(City, State and Zip Code)

(404) 799-6584  
(Work Number)

SAME  
(Home Number)

01-R-0140